



Express Mail No. EV207703049US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Emad S. Alnemri  
Application No. : 09/939,293  
Filed : August 24, 2001  
For : AN IAP BINDING PEPTIDE OR POLYPEPTIDE AND METHODS  
OF USING THE SAME

Examiner : Minh Tam B. Davis  
Art Unit : 1642  
Docket No. : 480140.465  
Date : December 19, 2002

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J. Mason  
12/28/02  
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Commissioner for Patents  
Washington, DC 20231

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents:

In response to the Restriction Requirement dated November 19, 2002, applicant hereby elects Group II, claims 28-51 and 88, drawn to a peptide or polypeptide fragments of SEQ ID NO:1, for examination at this time.

In view of the above election and the Preliminary Amendment filed on January 17, 2002 with the Response to Missing Parts, applicant respectfully requests that claims 1-27 and 52-96 be canceled without prejudice to the filing of any divisional, continuation, or continuation-in-part application. Consideration of the elected claims is now requested.

Respectfully submitted,

Emad S. Alnemri

Seed Intellectual Property Law Group PLLC

William T. Christiansen, Ph.D.

Registration No. 44,614

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Postcard

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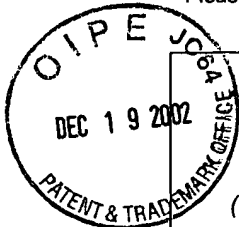
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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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# TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

Application Number	09/939,293
Filing Date	August 24, 2001
First Named Inventor	Emad S. Alnemri
Group Art Unit	1642
Examiner Name	Minh Tam B. Davis
Attorney Docket No.	480140.465

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## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Response to Restriction Requirement <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement; Form PTO-1449 <input type="checkbox"/> Cited References <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Declaration <input type="checkbox"/> Statement under 37 CFR 3.73(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> CD(s), Number of CD(s) _____ <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Additional Enclosure(s) (please identify below): _____ _____ _____
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Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Individual Name	William T. Christiansen, Ph.D.	 00500 PATENT TRADEMARK OFFICE
Signature		
Date	December 19, 2002	

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